

STATE OF MARYLAND

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April 23, 1999

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 – 12th Street, S.W.
Washington, D.C. 20554

Re: In the Matter of Telecommunications Relay Services
and Speech-to-Speech Services for Individuals with
Hearing and Speech Disabilities
CC Docket No. 98-67

Dear Ms. Salas:

Enclosed please find the original and eleven copies of the Ex Parte Comments of the Maryland Public Service Commission to be filed in the above-captioned proceeding. Please distribute a copy to each of the Commissioners.

Sincerely,

A handwritten signature in cursive script that reads "Susan Stevens Miller".

Susan Stevens Miller
Acting General Counsel

Enclosure

cc: Carmell Weathers
Common Carrier Bureau
Federal Communications Commission
445 – 12th Street, S.W.
Washington, D.C. 20554

International Transcription Service
1231 – 20th Street, N.W.
Washington, D.C. 20036

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CC Docket No. 98-67

The Telecommunications Act of 1996's ("1996 Act") stated purpose is "to promote competition . . . in order to secure lower prices and higher quality services for American telecommunications consumers" This objective will not be achieved so long as one segment of our society, TRS users, is denied access to their carrier of choice. More specifically, Section 255(c) of the 1996 Act requires a provider of telecommunications service to ensure that the service is accessible to and usable by individuals with disabilities. Thus, every telecommunication service provider is

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obligated to provide their service to TRS users regardless of whether the provider offers interexchange service, intraLATA toll service or local exchange service.

FCC regulations state that “TRS users shall have access to their chosen interexchange carrier through the TRS . . . to the same extent that such access is provided to voice users.” The FCC should clarify this regulation by specifically stating that equal access obligations apply to all carriers, not just interexchange carriers. Equal access can be accomplished through an agreement between the service provider and the TRS provider, but often the service provider refuses to enter into such an agreement. The FCC should further clarify its regulations by specifically stating that all carriers are required to enter into agreements with TRS providers as a condition of providing services in that TRS provider’s state. Finally, the FCC should specifically empower State Relay Administrators and Public Service Commissions to enforce the equal access obligation.

This issue of equal access is of vital importance to TRS users. Voice customers are expected to receive a greater choice of carriers as the telecommunications marketplace continues to open to competition. TRS users will be denied the benefits of a competitive market unless they receive equal access to the carrier of their choice. For the foregoing reasons, the Maryland Public Service Commission respectfully requests that the FCC clarify its equal access regulations and the enforcement of those regulations consistent with the above comments and the previous request of the State Relay Administrators.

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PUBLIC SERVICE COMMISSION

CONTINUED FOR SIGNATURE:

Respectfully submitted,

A handwritten signature in cursive script that reads "Susan Stevens Miller".

Susan Stevens Miller
Acting General Counsel
Maryland Public Service Commission
6 St. Paul Street
Baltimore, Maryland 21202
(410) 767-8039

amn/exparte

